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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/473,604 12/29/99 GRIFFITH

G BELL-0017/99

TM02/0508

EXAMINER

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ART UNIT	PAPER NUMBER
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2683

DATE MAILED:

05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No. <b>09/473,604</b>	Applicant(s) <b>Griffith</b>
	Examiner <b>Marceau Milord</b>	Art Unit <b>2683</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1)  Responsive to communication(s) filed on Feb 20, 2001

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

#### Disposition of Claims

4)  Claim(s) 1-20 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-20 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

15)  Notice of References Cited (PTO-892)      18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_      20)  Other: \_\_\_\_\_

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over .

over Thorne ( US Patent No 6021310) in view of Helstab et al (US Patent No 6073031).

Regarding claim 1, Thorne discloses a method of coupling a portable communications device (fig. 1) to a first network ( fig. 4 where elements 54 and 56 are connected to an outside network; col. 5, line 60- col. 6, line 6 ) by way of a second network ( fig. 4 where elements 48 and 34 are connected to PSTN which is a second network ; col. 5, line 63- col. 6, line 35), the PCD ( paging device 10 of fig. 1) normally in radio communication with the first network ( fig. 4), the PCD ( paging device 10 of fig. 1) being coupled to the first network by way of the second network ( col. 5, line 60- col. 6, line 65) ; establishing ( pager 10 in fig. 1 can establish contact with a base station by way of a network connector 48 such as PSTN, col. 5 , line 30- col. 6, line 35 ; an external computing network such as theInternet ; for example the computerized paging device is able to receive and send e-mail messages and convert a received audio signal into a data signal , col. 8, lines 1-31) a network connection with the first network; and entering ( 34 of fig. 4

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where a telephone line connection jack 34 is connected to the modem 48 for connection of the computerized paging device 10 to an external telephone line for wired telephone communication) into communication with the first network ( col. 5, line 40- col. 6, line 35; col. 7, lines 4- 64). However, Thorne does not specifically disclose the step of establishing a network connection with a first network by way of a second network, and entering into communication with the first network by way of the second network. On the other hand, Helstab et al, from the same field of endeavor, discloses a dual mode cellular handset which communicates with the telephone network via the base unit (figs. 1b- 2c, col. 2, lines 14- 67). This dual mode handset communicates with the base unit via an RF link and then with the telephone network via a standard copper wire pair from the base unit to a central office or a small business switch such as a PBX. Helstab clearly shows that when away and out of range of the base unit, the handset operates as a regular cellular telephone, wherein the user accesses the telephone network via the cellular network infrastructure ( figs. 1b-2c and fig. 4, col. 3, line 56- col. 6, line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode cellular system of Helstab to the computerized paging device of Thorne in order to provide coverage for a dual mode cellular handset especially when the handset is outside the range of an associated telephone base station.

Claim 2 contains similar limitations addressed in claim 1, and therefore, is rejected under a similar rationale.

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Regarding claims 3, 14, and 11, Thorne as modified discloses a method wherein the pager is a two way pager ( figs. 1 and 4), and wherein entering into communication comprises entering into two-way communication with the first network by way of the second network (col. 5, line 40- col. 6, line 35; col. 7, lines 4- 64).

Regarding claims 4-10, 15-16, Thorne as applied to claim 1 above differs from claim 4 in that fails to disclose the steps of de-coupling the PCD from the second network upon ending communication therewith; and causing the PCD to leave the second network mode and enter the first network mode. However, Helstab clearly shows that when away and out of range of the base unit, the handset operates as a regular cellular telephone, wherein the user accesses the telephone network via the cellular network infrastructure ( figs. 1b-2c and fig. 4, col. 3, line 56- col. 6, line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode cellular system of Helstab to the computerized paging device of Thorne in order to provide coverage for a dual mode cellular handset especially when the handset is outside the range of an associated telephone base station.

Regarding claims 12-13, Thorne discloses a method of coupling a portable communications device (fig. 1) to a first network ( fig. 4 where elements 54 and 56 are connected to an outside network; col. 5, line 60- col. 6, line 6 ) by way of a second network ( fig. 4 where elements 48 and 34 are connected to PSTN which is a second network ; col. 5, line 63- col. 6, line 35), the PCD ( paging device 10 of fig. 1) normally in radio communication with the first

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network ( fig. 4), the PCD ( paging device 10 of fig. 1) having a serial port and being coupled to the first network by way of the second network ( col. 5, line 60- col. 6, line 65) ; coupling ( paging device 10 of fig. 1) the PCD to the second network; causing the PCD to leave a first network mode and enter a second network mode ( col. 5, line 60- col. 6, line 65 ; pager 10 in fig. 1 can establish contact with a base station by way of a network connector 48 such as PSTN, col. 5 , line 30- col. 6, line 35 ; an external computing network such as the Internet ; for example the computerized paging device is able to receive and send e-mail messages and convert a received audio signal into a data signal , col. 8, lines 1-31) a network connection with the first network ; and entering ( 34 of fig. 4 where a telephone line connection jack 34 is connected to the modem 48 for connection of the computerized paging device 10 to an external telephone line for wired telephone communication) into communication with the network ( col. 5, line 40- col. 6, line 35; col. 7, lines 4- 64). However, Thorne does not specifically disclose the step of establishing a network connection with a first network by way of the second network ; and entering into communication with the first network by way of the cradle and the second network. On the other hand, Helstab et al, from the same field of endeavor, discloses a dual mode cellular handset which communicates with the telephone network via the base unit (figs. 1b- 2c, col. 2, lines 14- 67). This dual mode handset communicates with the base unit via an RF link and then with the telephone network via a standard copper wire pair from the base unit to a central office or a small business switch such as a PBX. Helstab clearly shows that when away and out of range of the base unit, the handset operates as a regular cellular telephone, wherein the user accesses the

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telephone network via the cellular network infrastructure ( figs. 1b-2c and fig. 4, col. 3, line 56-col. 6, line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode cellular system of Helstab to the computerized paging device of Thorne in order to provide coverage for a dual mode cellular handset especially when the handset is outside the range of an associated telephone base station.

Claims 17-20 contain similar limitations addressed in respective claims 1-3 and 7-11, and therefore, are rejected under a similar rationale.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is (703) 306-3023. The examiner can normally be reached on Monday through Thursday from 8:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost, can be reached on (703) 308-5318. The FAX phone number for this Group is (703) 308-5403.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

*Marceau Milord*  
MARCEAU MILORD

April 30, 2001

*WT*  
WILLIAM TROST  
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